

REMARKS

Claims 1-18 have been examined and have been rejected under 35 U.S.C. § 103(a) in view of i.e., EP 1030272 to Kawaguchi et al. and US Publication No. 2004/0050932 to Fukada et al.

Applicant submits, however, that Fukada does not constitute proper prior art. For example, Fukada is a U.S. national stage entry Application of PCT/JP/02/10544 that was published in *Japanese* on May 8, 2003 as WO 03/038740. Since the publication was not in English, the application is not afforded a 102(e) date. Thus, the Examiner may not rely on the PCT filing date of October 10, 2002 nor the U.S. National stage entry date of June 6, 2003 (see MPEP 706.02(f)(1)).

Since Fukada does not constitute prior art, Applicant submits that the rejection of claims 1-18 under 35 U.S.C. § 103(a) in view of Kawaguchi and Fukada is hereby overcome.

In addition, since the publication dates of WO 03/038740 and P2001-334970 (Fukada's foreign priority document) are all after the April 3, 2003 filing date of the current Application's priority application JP 2003-100062, Applicant hereby perfects priority by filing a verified English translation of the priority application JP 2003-100062. Thus, Applicant obviates the potential use of WO 03/038740 and P2001-334970 in a future Office Action.

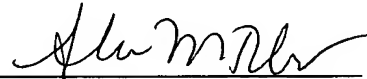
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/815,729

Attorney Docket No.: Q80818

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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